



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CANHAM

Atty. Ref.: 124-822; Confirmation No. 2227

Appl. No. 09/743,447

TC/A.U. 1744

Filed: January 10, 2001

Examiner: Beisner

For: TRANSFERRING MATERIALS INTO CELLS USING POROUS SILICON

* * * * *

February 26, 2004

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

MAR 03 2004

Sir:

RESPONSE AFTER FINAL REJECTION

This responds to the Official Action dated November 18, 2003. Petition is hereby made for a one month extension of time to and including March 18, 2004, for which our check in the appropriate amount is attached.

Claims 1-27, 29-32 and 34 are pending in the application. Of these all but claim 16 has been rejected based upon prior art.

In previous submissions applicants provided evidence demonstrating conception of the invention prior to June 10, 1998. In the Official Action, page 6, the examiner reminds that applicants are also obliged to demonstrate the invention was "reduced to practice" prior to June 10, 1998. Applicants now establish constructive reduction to practice when the application was actually filed in the UK Patent Office on July 22, 1998. The attached evidence establishes due diligence from a date prior to June 10, 1998, the date of Prausnitz et al through the filing of the priority UK application on July 22, 1998.

03/01/2004 HVUDH61 00000096 09743447

01 FC:1251

110.00 0P

821049